

Remarks

Claims 10 and 20 are amended herein. Claims 4-8, 10, 14-18, 20 and 23-26 remain pending in the Application.

Rejection under 103(a)

Claims 4-8, 10, 14-18, 20 and 23-26

In the Office Action, the Examiner rejected Claims 4-8, 10, 14-18, 20 and 23-26 under 35 USC 103(a) as being unpatentable over Weber et al. (6343212) in view of Kamel et al. (6496531). Applicant has reviewed the cited references and respectfully submits that the present invention is not rendered obvious over Weber et al. in view of Kamel et al. for the following rationale.

Applicant respectfully states that Claims 10 and 20 include the feature “transmitting the non-audible control signal as a directional RF signal.” Moreover, Claims 10 and 20 include the feature “receiving a non-audible mode signal from a mobile RF transmitter that can be unobtrusively mounted in a setting.” Support for the Claimed features can be found throughout the Specification including paragraph [0017].

As the Examiner has stated, Weber et al. is silent to mention the feature of a directional RF signal. Moreover, Applicant understands Weber et al. to teach the utilization of a standard cell base station as the means for delivering the omni-directional RF signal. Moreover, Applicant understands Weber et al. to teach the control signal being generated to be a portion of the operation of the base station, not the only job of the base station. That is, Applicant understands Weber et al. to teach the utilization of a base stations which has both transmit and receive capabilities with respect to the mobile device.

On the other hand, the RF transmitter of the present invention only provides the signal, e.g., transmits, it does not perform any other base-station

functionality, e.g., receiving, as taught by Weber et al. Therefore, the RF transmitter of the present invention is capable of being formed in a small, lightweight, compact and integrated mobile unit which may be placed in a plurality of scenarios and which outputs the appropriate commands, it does not otherwise interact with the mobile device, e.g., perform any base station operations, e.g., reception, strength of signal, or other interaction, it is a transmitter.

Applicant respectfully disagrees that Kamel et al. overcome the shortcomings of Weber et al. Applicant understands Kamel et al. to teach a method for controlling forward transmit power in a wireless system. Applicant does not understand Kamel et al. to teach or render obvious a small, lightweight, compact and integrated mobile unit RF transmitter that can be unobtrusively mounted in a setting. Moreover, Applicant does not understand Kamel et al. to teach or render obvious a method of utilizing RF signals to automatically modify mode settings of a cell phone (directional or otherwise).

Therefore, Applicant respectfully submits that Weber et al. alone or in conjunction with Kamel et al. does not teach nor render obvious the present claimed invention as recited in now Independent Claims 10 and 20, and as such, Claims 10 and 20 are in condition for allowance. Accordingly, Applicant also respectfully submits that Weber et al. alone or in conjunction with Kamel et al. does not teach nor render obvious the present claimed invention as recited in Claims 4-8 and 23-24 which are dependent on an allowable Independent Claim 10 and Claims 14-18 and 25-26 which are dependent on an allowable Independent Claim 20 and that Claims 4-8, 14-18 and 23-26 recite further features of the present claimed invention. Therefore, Applicant respectfully states that Claims 4-8, 14-18 and 23-26 are allowable as pending from an allowable base Claim.

Conclusion

In light of the above amendments and remarks, Applicant respectfully requests allowance of Claims 4-8, 10, 14-18, 20 and 23-26.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present application.

Respectfully submitted,
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